

December 18, 2019

**VIA ECF**

Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
500 Pearl Street, Room 1920  
New York, New York 10007

**RE: Allen et al. v. City of New York, et al.; Docket No. 1:19-cv-03786 (WHP)**

Dear Judge Pauley:

The parties write jointly to provide the Court with an update regarding the status of this matter and to request an adjournment of upcoming deadlines.

The parties have been diligently working to respond to discovery demands, which were served in November 2019. However, due to a death in defendants' counsel's family, defendants' counsel required an extension of time to respond to the demands and offered the same courtesy to plaintiffs' counsel. The parties met and conferred and agreed on a new joint deadline of December 27, 2019 to respond to the discovery demands and begin document production. In addition, in reviewing plaintiffs' demands, defendants determined that a protective order would be necessary for the production of certain documents. On December 16, 2019, defendants' counsel sent plaintiffs a draft of a proposed order and the parties are in the process of meeting and conferring regarding that order. The parties expect to begin scheduling depositions after they exchange responses to the demands.

In addition to working on discovery, the parties have also agreed to confer in an attempt to agree on a class definition. To this end, plaintiffs will be sending defendants a proposed class definition. Finally, this matter was referred to the Court's Mandatory Mediation Program on November 8, 2019. The parties have held a call with the assigned mediator and have agreed to a hold a mediation session on January 30, 2020.

In light of the above, the parties hereby request an adjournment of all deadlines to the schedule set below:

- Plaintiffs are to file a letter with the Court regarding its intended expert discovery by: January 21, 2019
- Plaintiffs to file their Motion for Class Certification by: February 6, 2019
- Defendants to file their Opposition to Class Certification by: March 5, 2019
- Plaintiffs to file their Reply for Class Certification by: March 19, 2019
- Oral Argument to be adjourned to a date convenient for the Court
- Fact Discovery to be completed by March 31, 2019
- JPTO due by April 30, 2019
- Final Pre-Trial Conference to be adjourned to a date convenient for the Court

This is the first request for an adjournment of the fact discovery deadline and the second request for an adjournment of the class certification deadline. Thank you in advance for your time and attention to this matter.

Respectfully Submitted,

~//s//~

Erica T. Healey-Kagan, Esq.  
The Kurland Group  
*Attorneys for Plaintiffs*  
85 Broad Street, 28<sup>th</sup> Floor  
New York, NY 10004

~//s//~

JAMES E. JOHNSON  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street, Room 2-143  
New York, NY 10007  
By: Aliza J. Balog  
Assistant Corporation Counsel